REMARKS

Claim Rejections - 35 U.S.C. §112

Claim 17 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being

indefinite for failing to particularly point out and distinctly claim the subject matter of the

invention because insufficient antecedent basis was provided for the limitation "scanner".

Applicant has amended claim 17 and, in doing so, has deleted the work "scanner" from claim 17.

Applicant request that the objection regarding claim 17 be withdrawn.

Claim Rejections - 35 U.S.C. §102

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. §102(e) as

allegedly being anticipated by United States Publication No. 2003/0114761 to Goto.

Amended Claim 1 recites:

> A radio receiver having a plurality of features programmable by a
> user, data relating to the programmable features defining a user-
> data set-up configuration, the radio receiver comprising:
>> a housing;
>> **an auxiliary memory disposed within said housing, said
>> auxiliary memory configured such that a plurality of user-data
>> set-up configurations are storable therein;**
>> a working memory disposed within said housing, said
>> working memory configured such that at least one of said user-data
>> set-up configurations for use by the radio receiver is storable in
>> said working memory; and
>> **wherein said radio receiver is configured to manage said
>> plurality of user-data set-up configurations.**

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Amended Claim 11 recites:

A radio receiver having a plurality of features programmable by a user, data relating to the programmable features defining a user-data set-up configuration, the radio receiver comprising:
    a housing;
    a memory disposed within said housing, said memory storing a plurality of user-data set-up configurations;
    a working memory pointer, wherein said working memory pointer identifies the user-data set-up configuration in use by the radio receiver; and
    wherein said **radio receiver is configured to manage said plurality of user-data set-up configurations.**

Amended Claim 17 recites:

A method for managing multiple user-data set-up configurations for a radio receiver comprising the steps of:
    providing a radio receiver including a housing, **an auxiliary memory disposed within said housing configured such that a plurality of user-data set-up configurations are storable therein,** a working memory disposed within said housing, said working memory storing at least one of said user-data set-up configurations; wherein **said radio receiver is configured to manage said plurality of user-data set-up configurations;** and
    operating the radio receiver to store data relating to the multiple user-data set-up configurations in said auxiliary memory.

Claims 1 and 17 each require that the radio receiver includes an auxiliary memory disposed within the housing of the radio receiver which is configured to store a plurality of user-data set-up configurations. Claims 1, 11, 17 and 19 each provide a radio receiver for storing multiple user-data set-up configurations within memory disposed within the housing of the radio receiver. Applicant's radio receiver as defined in claims 1, 11, 17 and 19 also provides the ability to "manage said plurality of user-data set-up configurations" allowing for reading or writing of user-data set-up configurations into and out of internal non-volatile memory by the

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user without any connection, by wire or by radio frequency, to an external device. As noted in the specification, prior art radio receivers required the use of an external device to exchange set-up configuration data. Thus, Applicant's invention eliminates the need for an external device to communicate with the radio receiver. Therefore, no connection whether is be through wire or RF is needed to read or write configuration data from and to internal non-volatile memory of Applicant's invention.

As described at paragraph 5 of the Goto publication, the Goto invention addresses the ability to correct a bug or malfunction in an operating system of a mobile communication terminal such as a portable phone device. To correct the bug or malfunction, the Goto invention provides updated operating system software to the mobile communications terminal. As described at paragraphs 6-8, the Goto invention provides a method of updating the software for the mobile communication terminal without requiring the user to carry his/her mobile communication terminal to a retail store. The Goto patent addresses a method for storing the operating software while it is being downloaded from an external device. After the external download is verified as successful, the new operating system is copied from temporary memory to the active operating system memory.

More specifically, the Goto patent, at paragraphs 18-19, describes a mobile communication system including a plurality of mobile communications terminals 1, which are connected by wireless means to a plurality of base stations 2 which are connected by cable to a control system 3. As shown in Figure 1, the control system 3 is external to the mobile communication terminals 1. The control system 3 includes exchanges 11, a home location

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register control device 12, a visitor location register control device 13, and a database 14. As described at paragraph 21, software for improving the operating system and application software designed to improve and expand communications functions of the mobile communications terminal 1 are stored in the database 14 of the control system 3.

Citing paragraph 56 of Goto, the Examiner finds that the Goto reference discloses a radio receiver having a plurality of features programmable by a user in which data relating to the programable features defines a set-up configuration. Paragraph 56, however, does not refer to set-up configurations nor does paragraph 56 discuss features **which are programmable by a user.** Rather, paragraph 56 discusses "two cases of updating software". The first case described is when a user connects his mobile communications terminal 1 to the external control system 3 for downloading and the second case described is when the external control system 3 compulsorily distributes and downloads to the users' mobile communications terminal 1. Neither of the scenarios referred to in paragraph 56 relates to features programmable by a user which define set-up configurations rather, these scenarios relate to upgrading the operating software of the portable telephones. Because the Goto reference does not disclose a radio receiver comprising features programmable by a user defining a "plurality of set-up configurations, Goto does not anticipate Applicant's invention as defined in claims 1, 11, 17 and 19.

Claims 1, 11, 17 and 19 also require that the data relating to the plurality of set-up configurations is stored in memory disposed **within** the housing of the radio receiver. As described at paragraphs 58 and 75 of Goto, each case of updating the software requires

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connection to the **external** control system 3. In particular, as described at paragraph 66, the Goto

invention requires that the "control system 3 reads out the requested software from the database

14 . . . [and] the software . . . is downloaded to the user's mobile communications terminal 1".

As described on page 5, lines 3-5 of the instant application, an object of Applicant's

invention is "to provide a scanner, which is capable of storing multiple set-up files internally

without any external connections or accessories. Unlike Applicant's invention which allows the

set-up configuration to be loaded from memory which is **internal** to the radio receiver, the Goto

invention requires connection to an **external** memory source to update the operating software of

the portable telephone. Because Goto does not disclose a radio receiver including memory

disposed within the radio receiver housing for storing a plurality of set-up configurations, claims

1, 11, 17, and 19 are not anticipated by Goto. Applicant requests reconsideration and allowance

of claims 1, 11, 17 and 19.

Claims 11 and 19 further require that the radio receiver includes a working memory

pointer which identifies the set-up configuration in use by the radio receiver. Although the

Examiner cites paragraphs 38-41 in finding that Goto discloses a working memory pointer,

Applicant finds no disclosure of a working memory pointer in Goto or disclosure of a working

memory pointer used to identify a user-data set-up configuration. Because Goto does not

disclose a working memory pointer or a working memory pointer used to identify a set-up

configuration, Applicant requests reconsideration and allowance of claims 11 and 19.

Claims 2-10 depend from claim 1, claims 12-16 depend from claim 11 and claim 18

depends from claim 17. Because claims 1, 11 and 17 are allowable, claims 2-10, claims 12-16

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and claim 18 are also allowable. Applicant respectfully requests reconsideration and allowance of claims 2-10, 12-16 and 18.

The present application has been amended in response to the Examiner's Office Action to place the application in condition for allowance. Applicant, by the amendments and remarks presented above, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

Respectfully submitted,

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